

2823

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
M4065.0743/P743

Application No.  
09/853,233

Filing Date  
May 11, 2001

Examiner  
W. Coleman

Art Unit  
2823

Applicant(s): Steven T. Harshfield, et al

Invention: PCRAM MEMORY CELL AND METHOD OF MAKING SAME

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	25	- 61 =		x	
Independent Claims	6	- 8 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1073  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

\_\_\_\_\_  
Thomas J. D'Amico  
Attorney Reg. No.: 28,371

Dated: April 28, 2003

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
2101 L Street NW  
Washington, DC 20037-1526  
(202) 828-2232

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Docket No.: M4065.0743/P743  
(PATENT)

#10/11/12  
New Act  
5/5/03  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Steven T. Harshfield, et al

Application No.: 09/853,233

Group Art Unit: 2823

Filed: May 11, 2001

Examiner: William D. Coleman

For: PCRAM MEMORY CELL AND METHOD  
OF MAKING SAME

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REQUEST FOR A NEW OFFICE ACTION

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

A Supplemental Amendment was filed on February 13, 2003, which was not acknowledged or taken into account in the Office Action dated February 18, 2003. In particular, the Office Action does not acknowledge or address the amendments to claims 32-33, 35-37, 39-40, and 42-44 presented in the Supplemental Amendment. Furthermore, new claims 82-89 were presented in the Supplemental Amendment, but the Office Action only mentions that claims 1-3, 5-21, 23-26, 28-33, 35-40, and 42-44 are pending, and does not acknowledge or address the newly added claims.

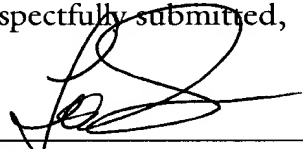
Upon receipt of the Office Action, Applicants' undersigned representative contacted the Examiner to alert him to the fact that the Supplemental Amendment apparently crossed with the Office Action during processing in different departments at the U.S. Patent and Trademark Office. The Examiner instructed Applicants' representative to contact the Customer Service representative for the relevant examining group. The Customer Service representative instructed

Applicants' representative to contact the Customer Service representative for the relevant examining group. The Customer Service representative instructed Applicants' representative not to respond to the Office Action, and that another Office Action would issue shortly. As of this date, however, Applicants' representative has not received another Office Action.

In view of the foregoing, Applicants respectfully request a new Office Action on the merits addressing the updated status of the claims based on the February 13 Supplemental Amendment.

Dated: April 28, 2003

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant